



WYOMING LEGISLATIVE SERVICE OFFICE

Memorandum

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TO Joint Agriculture, State and Public Lands and Water Resources Interim Committee

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SUBJECT Topic Summary: Wyoming Statutory Livestock Definitions

This memorandum summarizes the Wyoming statutory definitions for “livestock.” The breadth of application of these definitions extends beyond livestock ownership within traditional agriculture to predator depredation and production of food and fiber.

“Livestock” is defined thirteen times in Wyoming Statutes with nine different definitions.¹ The various definitions have developed in the context of the topics in which they were created. The definitions for livestock are similar but differ by including or excluding specific animals or designations regarding use. All of the definitions include cattle and sheep. All include swine except the definition in the branding and ranging chapter of title 11, which is the Agriculture, Livestock and Other Animals title of Wyoming Statutes.² Horses, mules, and usually asses are included in all definitions except the definition in the feedlot operations chapter of title 11, where livestock is specified for use as food or food products for human consumption.³ Goats, poultry, rabbits, llamas, and bison are the other animals named in the different definitions. Broad categories of animals are also included in some definitions, such as “working animals and guard animals actively engaged in the protection or management of livestock,”⁴ “guard animals or any other animal maintained under domestication,”⁵ “guard animals actively engaged in the protection of livestock,”⁶ and “all other animals commonly thought of as livestock.”⁷

Food for “human consumption” in the livestock feedlots definition differs from the other definitions that only specify animals “used for food or in the production of food.”⁸ Two of the

¹See page 3 of this memo.

² W.S. 11-20-101(a)(iv).

³ W.S. 11-39-101(a)(vi).

⁴ W.S. 6-3-1001(a)(iii).

⁵ W.S. 11-6-302(a)(vi).

⁶ W.S. 23-1-102(a)(xvi).

⁷ W.S. 39-11-101(a)(x).

⁸ W.S. 6-3-1001(a)(iii), 11-30-114(d)(iii), and 23-1-102(a)(xvi).

latter definitions expand to specify animals “used for food or in the production of food or fiber.”⁹

There are also livestock related definitions, one for “exotic livestock” and one for “livestock animal.” The definition for “livestock animal” read together with the definition for “livestock” in the chapter regarding protection of livestock in title 11 comprise the most exhaustive list of both specific animals and categories of animals.¹⁰

Additional Applications of “Livestock” in Wyoming Statutes

Meat

A statutory definition for “meat” refers to livestock, requiring that meat be derived from harvested “livestock, poultry, wildlife or exotic livestock” rather than cell cultured or plant-based products.¹¹ The livestock definitions to which the “meat” definition refers are the definition found in the Game and Fish title 23.¹²

Are Bees Included?

Bee keeping, or apiculture, is considered a type of agriculture. The statutory requirements for bees and apiaries are contained in the Wyoming Apiculture Act at title 11, chapter 7 of Wyoming Statutes.¹³ Additionally, bees are referenced in the context of reimbursement for damage to “crops” from wildlife and as “agricultural commodities” or products.¹⁴ Within these statutory provisions, bees are not referred to as livestock. However, in some statutory instances bees are treated similarly to and listed along with livestock and poultry by referring to their care, training, and management.¹⁵ The Department of Game and Fish considers claims for reimbursement “based upon a description of the livestock or bees damaged or killed by a trophy game animal.”¹⁶ An instance that seems to combine bees as commodities and as livestock is in reference to agricultural labor being “remunerated service performed...[o]n a farm for any person involving cultivating the soil or raising or harvesting any agricultural or horticultural commodity including training and managing livestock, bees, poultry, wildlife or furbearing animals.”¹⁷

“Livestock” Definitions Comparison

The various statutory definitions are compared side-by-side in the table on page 3 below. The table indicates the title, chapter, and if applicable the article, in which the definition is found.

⁹ W.S. 6-3-1001(a)(iii) and 23-1-102(a)(xvi).

¹⁰ W.S. 11-29-101(a)(v) and (vi).

¹¹ W.S. 35-7-111(a)(xiii)(B) and 35-7-119(e)(ii).

¹² W.S. 23-1-101(a)(xiii).

¹³ W.S. 11-7-130 through 11-7-407.

¹⁴ See e.g. W.S. 11-6-302(a)(ii), 11-35-102(a)(i), and 16-6-105(b).

¹⁵ See e.g. W.S. 39-17-101(a)(i), 39-17-201(a)(i), and 39-17-301(a)(ii).

¹⁶ W.S. 23-1-901(c).

¹⁷ W.S. 27-3-107(a)(i). See also W.S. 40-14-140(a)(iv).

TITLE 6 - CRIMES AND OFFENSES	TITLE 11 - AGRICULTURE, LIVESTOCK AND OTHER ANIMALS						TITLE 23 - GAME AND FISH	TITLE 39 – TAXATION AND REVENUE	TITLE 41 – WATER
CHAPTER 3 - OFFENSES AGAINST PROPERTY – ARTICLE 10 - ANIMAL ABUSE 6-3-1001. Definitions. (a) As used in this article: (iii) " Livestock " means horses, mules and asses, rabbits, llamas, cattle, swine, sheep, goats, poultry, or other animal generally used for food or in the production of food or fiber, working animals and guard animals actively engaged in the protection or management of livestock. Bison are considered livestock unless otherwise designated by the Wyoming livestock board and the Wyoming game and fish commission.	CHAPTER 6 - PREDATORY ANIMALS – ARTICLE 3 - WYOMING ANIMAL DAMAGE MANAGEMENT PROGRAM 11-6-302. Definitions. (a) As used in this article: (vi) " Livestock " means horses, mules, cattle, swine, sheep, goats, poultry, guard animals or any other animal maintained under domestication. Bison are considered livestock unless otherwise designated by the Wyoming livestock board and the Wyoming game and fish commission;	CHAPTER 20 – BRANDS – ARTICLE 1 - BRANDING AND RANGING 11-20-101. Definitions. (a) As used in this act: (iv) " Livestock " means cattle, horses, mules, asses and sheep. The board acting in conjunction with the game and fish commission may designate individual bison or identifiable herds of bison as wildlife; This definition is also used in TITLE 11 – CHAPTER 24 – ESTRAYS (W.S. 11-24-101(a)(v)).	CHAPTER 22 - LIVESTOCK MARKETS 11-22-101. Definitions; exceptions to provisions. (a) As used in this act: (ii) " Livestock " means horses, mules, cattle, swine, sheep and goats. Bison are considered livestock unless otherwise designated by the board and the Wyoming game and fish commission;	CHAPTER 26 - SWINE, GOATS OR ELK RUNNING AT LARGE 11-26-101. Prohibited generally; liability of owner; penalty. (a) It is unlawful for the owner of any swine, goats, domestic elk or exotic livestock to allow such animals to run at large within Wyoming. As used in this section, " exotic livestock " means any nontraditional livestock animal including, without limitation, llama, alpaca and other camelids, ostrich and other ratites, bison hybrids and yaks. Any owner who permits or causes such animals to run at large within Wyoming, is liable for damages incurred by any person by reason thereof in a civil action.	CHAPTER 30 - OFFENSES CONCERNING LIVESTOCK AND OTHER ANIMALS 11-30-114. Tampering with or drugging of livestock prohibited; definitions; penalty. (d) As used in this section: (iii) " Livestock " means any animal generally used for food or in the production of food, including, but not limited to, horses, mules and asses, cattle, sheep, goats, poultry, swine, rabbits or llamas;	CHAPTER 39 - LIVESTOCK FEEDLOT OPERATIONS 11-39-101. Definitions. (a) As used in this act: (vi) " Livestock " means cattle, sheep, swine, poultry and other animals or fowl which are being produced primarily for use as food or food products for human consumption; This definition is also used in TITLE 11 – CHAPTER 47 - COMMONSENSE CONSUMPTION ACT (W.S. 11-47-102(a)(i)).	CHAPTER 1 – ADMINISTRATION – ARTICLE 1 - GENERAL PROVISIONS 23-1-102. General definitions. (a) As used in this act: (xvi) " Livestock " means horses, mules and asses, rabbits, llamas, cattle, swine, sheep, goats, poultry, or other animal generally used for food or in the production of food or fiber, and guard animals actively engaged in the protection of livestock. Bison are considered livestock unless otherwise designated by the Wyoming livestock board and the commission; This definition is also used in TITLE 11 – CHAPTER 48 – FERAL LIVESTOCK (W.S. 11-48-101(a)(vi)) and CHAPTER 29 – PROTECTION OF LIVESTOCK ANIMALS (W.S. 11-29-101(a)(v). Additionally, 11-29-101(a)(vi) provides: (vi) " Livestock animal " means: (A) Any bovine, including domestic bison, equine, swine, sheep, goat, domesticated camelid animal, ratite bird, rabbit or poultry; or (B) Any animal used or harvested for any good and proper purpose including but not limited to food, fiber, fur, leather, medical research and byproducts; or (C) Any animal used or trained for work, sport, exhibit or entertainment.	CHAPTER 11 - ADMINISTRATION 39-11-101. Definitions. (a) As used in this act unless otherwise specifically provided: (x) " Livestock " means horses, cattle, mules and asses, sheep, swine, goats and all other animals commonly thought of as livestock;	CHAPTER 3 - WATER RIGHTS; ADMINISTRATION AND CONTROL – ARTICLE 1 - GENERALLY 41-3-116. Permit for watering livestock on federal land. (a) As used in this section: (v) " Livestock " means as defined by W.S. 11-22-101(a)(ii) but does not include wild horses claimed by the federal government under the federal Wild Free-Roaming Horses and Burros Act, P.L. 92-195.